

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JUSTIN LYLE REINHARDT,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-21-00511-PRW
)	
GARFIELD COUNTY DETENTION)	
FACILITY, et al.,)	
)	
Defendants.)	

ORDER

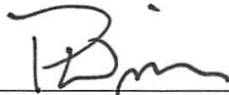
On July 13, 2021, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation (Dkt. 8) in this action in which Plaintiff—appearing *pro se*—seeks relief under 42 U.S.C. § 1983. The Magistrate Judge recommends dismissing Plaintiff’s claims without prejudice for failure to file financial information and/or signature of authorized officer of penal institution and a certified copy of Plaintiff’s institutional account statement for the six-month period immediately preceding this filing. The Court ordered Petitioner to address these deficiencies by June 14, 2021 or else have this action dismissed without prejudice to refiling (Dkt. 5). Following Plaintiff’s Letter filed on June 11, 2021, indicating difficulty meeting the requirements of the Court’s Order, the Magistrate Judge sua sponte extended the deadline to cure until June 28, 2021 (Dkt. 7). To date, Plaintiff has neither cured said deficiencies nor responded to the Magistrate Judge’s most recent Order in any way.

Plaintiff was advised that he had a right to object to the Report and Recommendation by July 30, 2021, in accordance with 28 U.S.C. § 636 and Federal Rule of Civil Procedure 72, and that failure to make a timely objection would waive any right to appellate review of the factual and legal issues addressed in the Report and Recommendation (Dkt. 8). No objections have been filed as of this date. Having failed to object, Plaintiff has accordingly waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation (Dkt. 8).¹

Upon review of the Report and Recommendation (Dkt. 8), the Court:

- (1) **ADOPTS** in full the Report and Recommendation (Dkt. 8) issued by the Magistrate Judge on July 13, 2021; and
- (2) **DISMISSES WITHOUT PREJUDICE TO REFILE** Plaintiff's claims (Dkt. 1).

IT IS SO ORDERED this 18th day of August 2021.



PATRICK R. WYRICK
UNITED STATES DISTRICT JUDGE

¹ *United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1059–60 (10th Cir. 1996); *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *cf.* 28 U.S.C. § 636(b)(1) (requiring a district judge to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made” but otherwise permitting a district judge to review the report and recommendations under any standard it deems appropriate).